AMENDMENT UNDER 37 C.F.R. § 1.116 Attorney Docket No.: Q88710

Appln. No.: 10/539,445

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the

application:

LISTING OF CLAIMS:

1. (currently amended): A foamable water-in-oil type emulsion in combination

with an aerosol container, wherein the emulsion comprises an emulsifier in the amount of 0.5 to

6.0 wt% based on the emulsion; wherein the water-in-oil emulsion in the container prior to

jetting is a liquid or gel; wherein the oil in the water-in-oil type emulsion is an edible oil which

has a cloud point (ASTM) of about 4.4°C (40 °F) or lower, the container comprises a gas

propellant partially dissolved in said water-in-oil emulsion; the container has a discharging

nozzle for discharging the emulsion with the gas propellant as a mousse form therefrom; the

mousse is formed at the time of jetting; and wherein the emulsifier consists of at least one

member selected from the group consisting of monoglycerin fatty acid ester, sucrose fatty acid

ester, sorbitan fatty acid ester, and polysorbate, and wherein the monoglycerin fatty acid ester, if

included, is in the range 2.5-3.0 parts by weight based on the emulsion.

2-7. (canceled).

8. (previously presented): The foamable water-in-oil-type emulsion according to

claim 1, wherein the mousse is a spread.

2